

10/09/97

Attorney Docket P1053R2  
PATENT

Box  
sequence

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**CERTIFICATION UNDER 37 CFR 1.10**

**EM 239 526 858 US: Express Mail Number**

**October 09, 1997: Date of Deposit**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Sandra K.T. Sullivan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**BOX PATENT APPLICATION**  
Assistant Commissioner of Patents  
Washington, D.C. 20231

## **NON-PROVISIONAL APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

**Inventor(s):** **Brian M. Fendly**  
**Gail Dianne Phillips**  
**Richard H. Scheuermann**  
**Jonathan W. Uhr, M.D.**

For: **ANTI-ErbB2 ANTIBODIES**

## 1. Type of Application

This is a non-provisional application filed under 37 C.F.R. 1.53 (b)(1), claiming priority under 35 U.S.C. 119 (e) to provisional application number 60/028,811 filed 18 October 1996.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional )**

<u>64</u>	pages of specification
<u>4</u>	pages of claims
<u>1</u>	page(s) of abstract
<u>18</u>	sheet(s) of drawings
	<input checked="" type="checkbox"/> formal <input type="checkbox"/> informal

### 3. Declaration or Oath

X The declaration of the inventor(s) [x] is enclosed [x]unsigned [ ] signed.

#### 4. Assignment

  X   An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [x] will follow.

**5. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$790.00
Total Claims	41	- 20 =	21	X \$22.00	\$462.00
Independent Claims	2	- 3 =	0	X \$82.00	\$0.00
<u>0</u> Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$1,252.00

**6. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,252.00. **A duplicate copy of this transmittal is enclosed.**

**7. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

**8. Additional Papers Enclosed**

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations  
☒ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.  
☐ Other:

Respectfully submitted,  
 GENENTECH, INC.

Date: October 9, 1997

By: \_\_\_\_\_

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